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Customer Number

Patent

Case No.: 54135US011

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: BOWERS, JOHN L.

Application No.: 09/986346

Group Art Unit: 3753

Filed:

November 8, 2001

Examiner: John A. Rivell

Title:

UNI-DIRECTIONAL FLUID VALVE

INFORMATION DISCLOSURE STATEMENT

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR § 1.8(a)]

I hereby certify that this correspondence is being:

deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

April 7, 2005
Date

Susan M. Decko
Signed by: Susan M. Decko

Dear Sir:

In accordance with the continuing duty of candor and good faith that is to be demonstrated before the United States Patent and Trademark Office, applicants submit copies of Answers in the civil litigation between the 3M Company and the 3M Innovative Properties Company ("3M") and Moldex-Metric, Inc. and the Louis M. Gerson Co., Inc. In both lawsuits, the defendants, Moldex-Metric, Inc. and the Louis M. Gerson Co., Inc. have filed Answers to the Complaints filed by 3M. In so doing, Moldex has filed counter-claims for a declaratory judgment of noninfringement and invalidity of U.S. Patent RE 37,974 to Bowers and U.S. Patent 6,843,248 to Japuntich et al. Moldex contends that each of these patents are invalid under 35 USC § 102 and 35 USC § 103. Moldex also asserts that both patents are invalid for "containing a specification and claims which do not meet one or more of the requirements of 35 USC § 112, i.e., written description, enablement, best mode, and definiteness."

The Louis M. Gerson Company also asserts that the claims of the '974 patent are invalid under 35 USC § 101, 35 USC § 112, and/or § 251 and under 35 USC §§ 102 and 103.

Please contact applicants' attorney if the Examiner desires more information regarding the defenses raised by each of the defendants.

Respectfully submitted,

By:

Karl G. Hanson, Reg. No.: 32,900
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of Intellectual Property Counsel
Innovative Properties Company
No.: 651-736-3833

April 7, 2005